

Admcd  
using a user-side control and operating device or terminal to [call-up] request the at least one user interface program to be transmitted from the at least one network server to the control and operating device before the service is used, and  
executing the user interface program by the control and operating device, so that an operator can control and operate the service through a user interface.

11. (amended) The method as recited in claim 10 wherein the user interface program is [provided] transmitted as a JAVA applet.

#### REMARKS

Claims 1-12 are pending in the present application. The drawings were objected to because Figure 1 lacks a proper legend. The disclosure was objected to due to informalities. The abstract of the disclosure was objected to because reference numbers are used with no reference to a figure. Claims 1-12 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite. Claims 1, 2, 5, 7 and 10 were rejected under 35 U.S.C. §102(b). Claims 3, 4, 6, 8, 9, 11 and 12 were rejected under 35 U.S.C. §103. An amended Figure 1 has been submitted for the Examiner's consideration. Claims 1-11 have been amended. It is respectfully submitted that no new matter has been added. Reconsideration of the application in view of the following remarks is respectfully requested.

#### Objection to the drawings

The drawings were objected to because Figure 1 needs a proper legend. An accordingly amended Figure 1 is submitted herewith for the Examiner's consideration.

Withdrawal of the objection to the drawings is respectfully requested.

#### Objection to the disclosure

The disclosure was objected to due to informalities. The disclosure has been amended to correct the incorrect grammar in the phrase "The a speech recognition system speech" on page 4, line 27, and to change the reference from "4" to "5" on page 7, line 9. With respect to page 8,

claim 1, line 9, as well as page 9, claim 10, line 2, it is respectfully submitted that both recitations of "the" are correct. No temporal relationship, as would be the case with recitation of "then" instead of "the", is intended.

Withdrawal of the objection to the disclosure is respectfully requested.

Objection to the abstract

The abstract of the disclosure was objected to because reference numbers are used with no reference to a figure. The abstract has been amended to remove the reference numerals.

Withdrawal of the objection to the abstract is respectfully requested.

Rejection of claims 1-12 under 35 U.S.C. §112, second paragraph

Claims 1-12 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite. Claims 1-9 have now been amended to change the recitation "a device" to "an apparatus", and thereby remove the indefiniteness with respect to "a control and operating device" recited in claim 1, line 6. Claim 10 has been amended to change the recitation "call-up the user interface program" to "request the user interface program to be transmitted from the at least one network server to the control and operating device", and thereby remove the indefiniteness regarding the meaning of "call-up". Support for this amendment may be found, for example, at page 7, lines 3-6.

Withdrawal of the rejections to claims 1-12 under 35 U.S.C. §112, second paragraph, is respectfully requested.

Rejection of claims 1, 2, 5, 7 and 10 under 35 U.S.C. §102(b)

Claims 1, 2, 5, 7 and 10 were rejected under 35 U.S.C. §102(b) as being anticipated by Greco, U.S. Patent No. 5,568,540. Greco describes a graphical user interface for displaying voice mail messages. See Abstract, first two lines.

Independent claims 1 and 10 of the present application as amended recite, respectively, "at least one network server transmits the user interface program to the control and operating device before the service is used" and requesting "at least one user interface program to be

transmitted from the at least one network server to the control and operating device before the service is used".

It is respectfully submitted that Greco does not teach transmitting, nor requesting transmitting, of a user interface program from a network server to a control and operating device. In contrast, Greco describes a client program apparently pre-loaded on a user computer. Greco does not teach the client program being transmitted from the network server as needed.

Greco presents a system similar to the known system described in the "Related Technology" section of the present specification. In the known system, the user-side hardware and/or software must be adjusted to the service being provided by a network server. See specification page 1, lines 13-17. As explained in the specification, this situation has disadvantages with respect cost and user productivity. See specification page 1, line 17-21. Like the known system, Greco describes a programmed personal computer 14 located near the user's extension (or terminal) 12. A hard disk of the computer 14 contains a client program which is executed by a processor of the computer. The client program interacts directly with the network server, thus serving as a user interface program. See Col. 2, line 59 through Col. 3, line 29. The client program is apparently pre-loaded on the user computer, just as with the known situation described in the present specification. Greco does not teach nor suggest the feature of the user interface program being requested and/or transmitted from the network server. Greco thus describes a completely different system which doesn't have the advantages of the present invention, advantages which include providing a way in which a network-based service can be used without the need for a terminal that is specifically adjusted to the service (see specification at page 1, line 25 through page 2, line 1). Because it does not teach at least the above-quoted features of independent claims 1 and 10, Greco can not anticipate these claims.

Withdrawal of the rejections to independent claims 1 and 10, as well as dependent claims 2, 5 and 7, under 35 U.S.C. §102(b) is respectfully requested.

Rejection of claims 3, 4, 6, 8, 9, 11 and 12 under 35 U.S.C. §103

Claims 3, 4, 6, 8, 9, 11 and 12 were rejected under 35 U.S.C. §103 as being unpatentable over combinations of Greco in view of Davidson, U.S. Patent No. 5,023,868, Engelde, U.S. Patent No. 5,724,405, and/or Krishnaswamy, U.S. Patent No. 5,999,525.

Dependent claims 3, 4, 6, 8 and 9 depend from independent claim 1 and include all of the limitations of claim 1, and dependent claims 11 and 12 depend from independent claim 10 and include all of the limitations of claim 10. As discussed above, Greco fails to teach features of independent claims 1 and 10. Because Davidson, Engelde and/or Krishnaswamy fail to provide these missing features, it is respectfully submitted that dependent claims 3, 4, 6, 8, 9, 11 and 12 are patentable over combinations of Greco in view of Davidson, Engelde and/or Krishnaswamy.

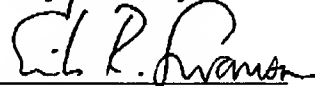
Withdrawal of the rejections to independent claims 1 and 10, as well as dependent claims 2, 5 and 7, under 35 U.S.C. §102(b) is respectfully requested.

Conclusion

It is believed that this application is now in condition for allowance and applicant respectfully requests such action.

Respectfully Submitted,

Kenyon & Kenyon



Erik R. Swanson  
(Reg. No. 40,833)

Dated: 20 October 2000

One Broadway  
New York, NY 10004  
Tel. (212) 425-7200  
Fax. (212) 425-5288